



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicant: Eiki Matsuo) Group Art No.: 2873
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) Examiner: Stultz, Jessica T.
)
Application No: 10/826,479) Re: Terminal Disclaimer (37 CFR 1.321(b))
)
Filed: 04/16/2004) Our Ref: B-4460PCTDIV3 621784-1
)
For: "Imaging Optical System") Date: February 17, 2005

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Petitioner, NEC Viewtechnology, Ltd., is the owner of a 100 % interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent issued on US patent application serial no. 10/729,437 filed on December 5, 2003. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and such patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the other patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization., namely, NEC Viewtechnology, Ltd. and further believes that NEC Viewtechnology, Ltd. is the owner of a 100% interest in the instant application.

I hereby declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NEC Viewtechnology, Ltd.

By:

Tomoo Yanase

Tomoo Yanase

General Manager

Intellectual Property Division

February 24, 2005
(Date)

☒ Statement under 37 CFR 3.73(b) is attached

☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.